

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated May 18, 2005 (U.S. Patent Office Paper No. 13505). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, Claims 1 through 12 and 14 through 24 are currently pending in this application. Claim 13 has been cancelled without prejudice or disclaimer, the subject matter of Claim 13 being substantially incorporated into Claims 14 through 16, without including the recitation of "a magnetic disk". Also, Claims 1 through 11 and 13 through 24 are being amended to correct formal errors, place the claims in better form and to more particularly point out and distinctly claim the subject invention, with the amendments to allowed Claims 1 through 12 being made to correct formal errors and to place the claims in better form. Entry of the amendments to the Claims 1 through 11 and 13 through 24 is respectfully requested.

Additional Amendments:

The Specification and the Abstract of the Disclosure have been amended to correct formal errors and to better disclose and describe the features of the present invention. Entry of the amendments to the Specification and to the Abstract of the Disclosure is respectfully requested.

Prior Art Rejections

Claim 13 was rejected under 35 U.S.C. §102(b) over U.S. Patent No. 3,855,623 to Chur et al.

Claim 13 was also rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,305,447 to Hampshire.

The Office Action states that Claims 14 through 24 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent

form including the recitations of the base claim and any intervening claims (U.S. Patent Office Paper No. 13505, page 4).

Therefore, in response, Claims 14 through 16 have been rewritten in independent form including substantially with recitations of Claim 13, without including the recitation of "a magnetic disk". Also, Claim 13 has been cancelled without prejudice or disclaimer. Therefore, it is respectfully believed that Claims 14 through 16, now rewritten in independent form, are in condition for allowance, and dependent Claims 17 through 24 are in condition for allowance.

Therefore, withdrawal of rejections of Claim 13 under 35 U.S.C. §102(b) is respectfully requested.

The Office Action states that Claims 1 through 12 are allowed (U.S. Patent Office Paper No. 13505, page 3).

Reconsideration and allowance of Claims 14 through 24, and confirmation of the allowability of Claims 1 through 12, are respectfully requested.

Conclusion

In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and telephone number indicated below.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344



Juan Carlos A. Marquez
Registration No. 34,872

REED SMITH LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, Virginia 22042
(703) 641-4200

August 17, 2005
SPF/JCM/JB